

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090 Phone: 614-410-4400 • Fax: 614-410-4490



To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: September 4, 2014

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer

Kenneth B. Richardson, PE, PS, Engineering Manager – De sign

Phillip K. Hartmann, Assistant Law Director

Re: Ordinance 95-14 – METROCENTER OWNERS ASSOCIATION, INC.

EASEMENTS FOR RELOCATION OF OVERHEAD UTILITIES

UNDERGROUND ALONG FRANTZ ROAD

BACKGROUND

The City of Dublin (the "City") will be relocating overhead electric and telecommunications utility lines underground along Frantz Road, between Rings Road and Metro Place South (the "Project"). The Project will improve utilities and improve economic development.

MetroCenter Owners Association, Inc., (the "Grantor") owns property from which the City desires a permanent easement and a temporary easement. This property is identified as Franklin County Parcel Nos. 273-001318 and 273-001319.

After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire the necessary property interest, pursuant to the terms outlined in this memorandum. This Ordinance authorizes acquisition for the appraised value of Eighty Five Thousand Seven Hundred Fifteen Dollars (\$85,715.00).

ACQUISITION

The City will be acquiring from the Grantor only the property interest necessary for the construction of the Project as depicted in the legal description and depiction attached to this memorandum. The City will be acquiring the property interest for its appraised value. The acquisition is detailed below:

Franklin County Parcel Nos. 273-001318 and 273-001319

Property Interest Acquiring	Description	Appraised Value
Permanent Easement	0.367 acre ±	\$55,050.00
Permanent Easement	0.102 acre ±	\$15,300.00
Permanent Easement	0.012 acre ±	\$1,800.00
Temporary Easement	0.172 acre ±	\$4,300.00
Temporary Easement	0.179 acre ±	\$4,475.00
Improvement Valuation	Trees, Lawn, etc.	\$4,790.00
Total		\$85,715.00

RECOMMENDATION

Ordinance No. 95-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

Staff recommends Council dispense with the public hearing and approve Ordinance No. 95-14 by emergency at the September 4 Council meeting in order to continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc-		Form No. 30043	
Ordinance No95-14	Passed	20	
CONVEYANCE DOCU OR LESS, PERMANE LESS, PERMANENT I PERMANENT EASE TEMPORARY EASE ASSOCIATION, INC. ROAD, FOR THE	CITY MANAGER TO EXECUT MENTS TO ACQUIRE A 0.36; INT EASEMENT; A 0.102 AC EASEMENT; A 0.012 ACRE, MO MENT; A 0.172 ACRE, MO MENT; AND A 0.179 ACRE, MO MENT FROM METROCENT , AT THE PROPERTY LOCATE RELOCATION OF OVERHEAD ONG FRANTZ ROAD, AND DE	ACRE, MORE RE, MORE OR ORE OR LESS, ORE OR LESS, ER OWNERS ED ON FRANTZ AD UTILITIES	
	n (the "City") will be relocating s underground along Frantz Roa roject"); and		
Franklin County Parcel Nos.	ires that the City obtain certain 273-001318 and 273-001319 of "Grantor"), said property intere eled "A," attached hereto; and	owned by MetroCente	
come to mutually agreeable to	Grantor participated in good fait erms for the acquisition of the no hty-Five Thousand Seven Hu	ecessary easements fo	
WHEREAS , the City desires complete the transaction betw	to execute necessary conveya een the City and the Grantor.	ince documentation t	
NOW, THEREFORE, BE IT (of Ohio, of the elected in	DRDAINED by the Council of the members concurring that:	ne City of Dublin, State	
conveyance documentation teasement, a 0.102 acre, more less, permanent easement, a 0.179 acre, more or less, tem (12) months, commencing of Owners Association, Inc., for Hundred Fifteen Dollars (\$85,	ager is hereby authorized to o acquire a 0.367 acre, more or less, permanent easement, 0.172 acre, more or less, temporary easement, said temporar on the date construction beging the appraised value of Eighty 715.00), said property interest 18 and 273-001319, and as most it "A."	e or less, permanen a 0.012 acre, more o orary easement, and ay easements for twelvens, from MetroCente Five Thousand Sever located within Franklin	
immediate preservation of the further reason that obtaining	e is declared to be an emerge e public peace, health, safety of the property interest is necessar e shall therefore take effect imme	or welfare, and for the y for the advancemen	
Passed thisday of _	, 2014.		
Mayor – Presiding Officer			
The state of the s			

PARCEL 5-P PERMANENT UTILITY, GRADING, AND DRAINAGE EASEMENT FROM METROCENTER OWNER'S ASSOCIATION, INC.

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Virginia Military Survey No. 2419, and being part of the 1.975 acre tract conveyed to METROCENTER OWNERS ASSOCIATION, INC. (hereafter referred to as Grantor), as described in Deed Book 3719, page 325, in the Franklin County Recorder's Office, and also being a part of Reserve D in METROCENTER, the plat of which is recorded in Plat Book 55, pages 8 and 9, and bounded and described as follows:

COMMENCING at the Southeast corner of said Reserve D and being the TRUE POINT OF BEGINNING of the herein conveyed easement;

THENCE with the South line of said Reserve D, South 67° 11' 34" West for a distance of 31.33 feet;

THENCE through the Grantor's land the following two (2) courses:

- 1) North 6° 02' 40" West for a distance of 395.41;
- North 22° 58' 39" West for a distance of 101.90 feet to the Northerly line of said Reserve D and the South Right of Way line of Metro Place South as shown and dedicated in said METROCENTER;

THENCE with the Northerly line of said Reserve D and the South Right of Way line of Metro Place South on a non-tangent curve to the right having an ARC LENGTH of 34.27 feet, a RADIUS of 970.00 feet, a DELTA ANGLE of 2°01'27", and a CHORD BEARING of North 82° 59' 22" East for a CHORD DISTANCE of 34.27 feet to the Right of Way lines of Metro Place South and Frantz Road as shown and dedicated in said plat of METROCENTER;

THENCE continuing with the Northerly line of Reserve D and the Right of Way lines of Metro Place South and Frantz Road on a curve to the right having an ARC LENGTH of 39.94 feet, a RADIUS of 25.43 feet, a DELTA ANGLE of 89°59'38", and a CHORD BEARING of South 51° 00' 55" East for a CHORD DISTANCE of 35.96 feet on the West Right of Way line of Frantz Road and the East line of said Reserve D;

THENCE with the West Right of Way line of Frantz Road and the East line of Reserve D, South 06° 02' 40" East for a distance of 458.99 feet BACK TO THE TRUE POINT OF BEGINNING.

The above described parcel contains 0.367 acres, which includes 0.212 acres already included in an existing easement of record, for a net additional easement area of 0.155 acres. North based on GPS observations taken on project control.

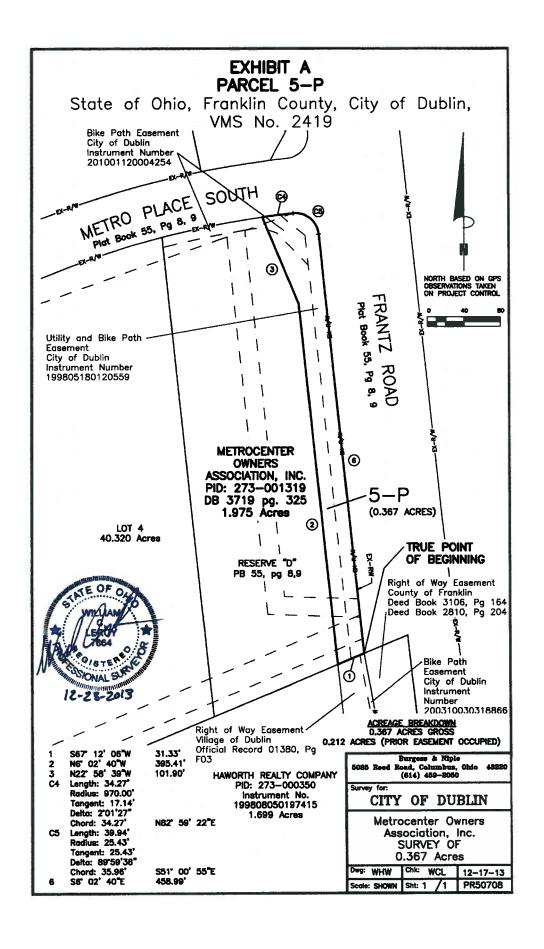
This description was prepared in November 2013 under the direct supervision of William C. LeRoy, P.S., Ohio License Number 7664, and is based upon surveys performed by Burgess & Niple, Inc. beginning in October 2010.

Burgess & Niple, Inc.

William C. LeRoy,

Registered Professional Surveyor No. 7664

|2-23-70|3 Date



PARCEL 5-T TEMPORARY GRADING AND CONSTRUCTION EASEMENT FROM METROCENTER OWNER'S ASSOCIATION, INC.

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Virginia Military Survey No. 2419, and being part of the 1.975 acre tract conveyed to METROCENTER OWNERS ASSOCIATION, INC. (hereafter referred to as Grantor), as described in Deed Book 3719, page 325, in the Franklin County Recorder's Office, and also being a part of Reserve D in METROCENTER, the plat of which is recorded in Plat Book 55, pages 8 and 9, and bounded and described as follows:

COMMENCING at the Southeast corner of said Reserve D, THENCE with the South line of said Reserve D, South 67° 12' 06" West for a distance of 31.33 feet to the TRUE POINT OF BEGINNING of the herein conveyed easement;

THENCE continuing with the South line of said Reserve D, South 67° 12' 06" West for a distance of 15.67 feet;

THENCE through the Grantor's land the following two (2) courses:

- 1) North 06° 02' 40" West for a distance of 397.69 feet;
- North 22° 58' 39" West for a distance of 103.54 feet to the North line of said Reserve D
 and the South Right of Way of Metro Place South as shown and dedicated in said
 METROCENTER;

THENCE with the North line of said Reserve D and the South Right of Way line of Metro Place South on a non-tangent curve to the right having an ARC LENGTH of 15.49 feet, a RADIUS of 970.00 feet, a DELTA ANGLE of 00°54′55″, and a CHORD BEARING of North 81° 31′ 11″ East for a CHORD DISTANCE of 15.49 feet;

THENCE through the Grantor's land the following two courses:

- 1) South 22° 58' 39" East for a distance of 101.90 feet;
- South 06° 02' 40" East for a distance of 395.41 feet BACK TO THE TRUE POINT OF BEGINNING.

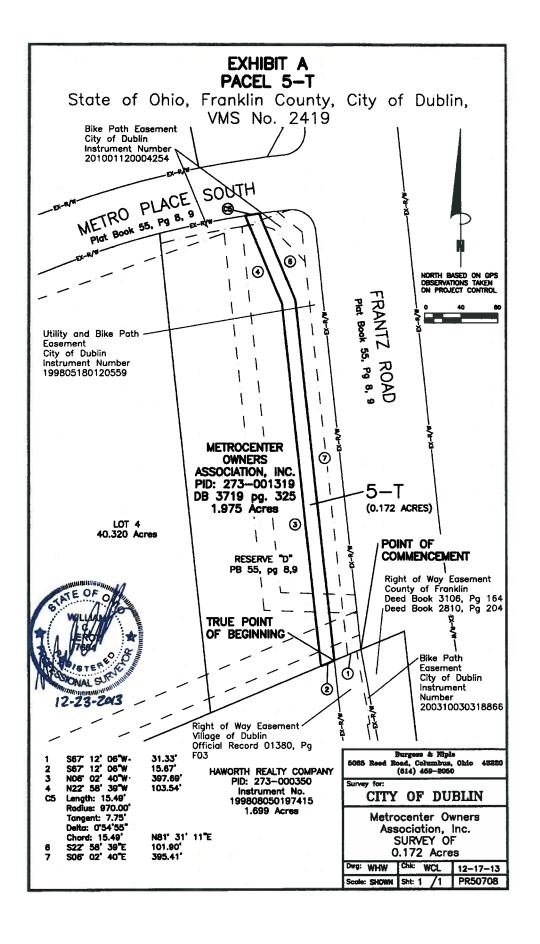
The above described parcel contains 0.172 acres. North based on GPS observations taken on project control.

This description was prepared in November 2013 under the direct supervision of William C. LeRoy, P.S., Ohio License Number 7664, and is based upon surveys performed by Burgess & Niple, Inc. beginning in October 2010.

Burgess & Niple, Inc.

William C. LeRoy,

Registered Professional Surveyor No. 7664



PARCEL 6-P PERMANENT UTILITY, GRADING, AND DRAINAGE EASEMENT FROM METROCENTER OWNER'S ASSOCIATION, INC.

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Virginia Military Survey No. 2419, and being part of the 3.068 acre tract conveyed to METROCENTER OWNERS ASSOCIATION, INC. (hereafter referred to as Grantor), as described in Deed Book 3719, page 325, in the Franklin County Recorder's Office, and also being a part of Reserve C in METROCENTER, the plat of which is recorded in Plat Book 55, pages 8 and 9, and bounded and described as follows:

COMMENCING at the southwest corner of said Reserve C, THENCE with the South line of Reserve C and the North Right of Way line of Metro Place South, as shown and dedicated in said METROCENTER, on a non-tangent curve to the right having an ARC LENGTH of 50.62 feet, a RADIUS of 1030.00 feet, a DELTA ANGLE of 02° 48' 58", and a CHORD BEARING of North 80° 07' 28" East for a CHORD DISTANCE of 50.62 feet to the TRUE POINT OF BEGINNING of the herein conveyed easement;

THENCE through the Grantor's land the following four (4) courses:

- 1) North 06° 00' 45" West for a distance of 158.12 feet;
- 2) North 83° 59' 15" East a distance of 30.00 feet;
- 3) South 06° 00' 45" East for a distance of 129.76 feet;
- 4) South 28° 46' 17" West for a distance of 34.23 feet to the South line of said Reserve C and the North Right of Way line of said Metro Place South;

THENCE with the South line of said Reserve C and the North Right of Way line of said Metro Place South on a non-tangent curve to the left having an ARC LENGTH of 10.48 feet, a RADIUS of 1030.00 feet, a DELTA ANGLE of 00° 34' 58", and a CHORD BEARING of South 82° 39' 32" West for a CHORD DISTANCE of 10.48 feet BACK TO THE TRUE POINT OF BEGINNING.

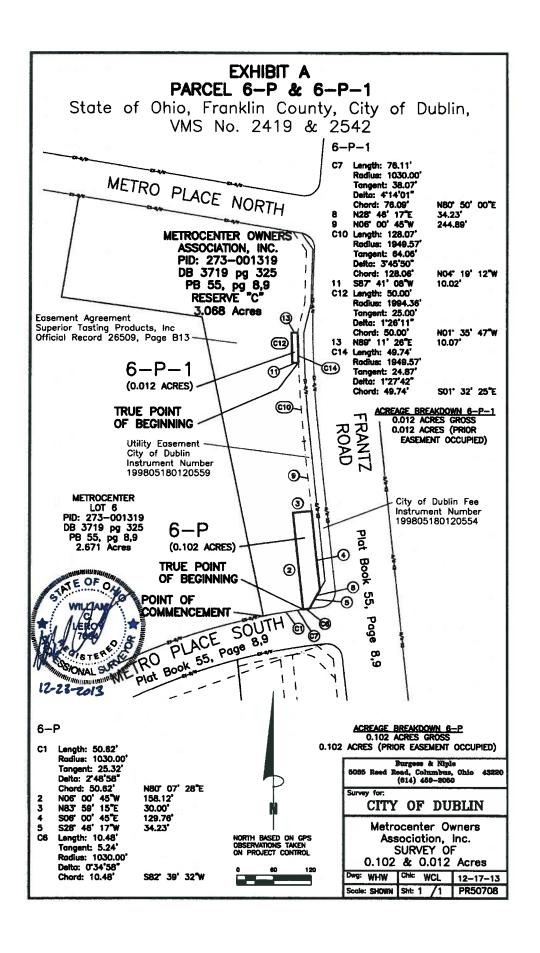
The above described parcel contains 0.102 acres. North based on GPS observations taken on project control.

This description was prepared in November 2013 under the direct supervision of William C. LeRoy, P.S., Ohio License Number 7664, and is based upon surveys performed by Burgess & Niple, Inc. beginning in October 2010.

Burgess & Niple, Inc.

William C. LeRoy,

Registered Professional Surveyor No. 7664



PARCEL 6-P1 PERMANENT UTILITY, GRADING, AND DRAINAGE EASEMENT FROM METROCENTER OWNER'S ASSOCIATION, INC.

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Virginia Military Survey No. 2419, and being part of the 3.068 acre tract conveyed to METROCENTER OWNERS ASSOCIATION, INC. (hereafter referred to as Grantor), as described in Deed Book 3719, page 325, in the Franklin County Recorder's Office, and also being a part of Reserve C in METROCENTER, the plat of which is recorded in Plat Book 55, pages 8 and 9, and bounded and described as follows:

COMMENCING at the southwest corner of said Reserve C, THENCE with the South line of said Reserve C and the North Right of Way line of Metro Place South, as shown and dedicated in said METROCENTER plat, on a non-tangent curve to the right having an ARC LENGTH of 76.11 feet, a RADIUS of 1030.00 feet, a DELTA ANGLE of 04° 14' 01", and a CHORD BEARING of North 80° 50' 00" East for a CHORD DISTANCE of 76.09;

THENCE through the Grantor's land the following three (3) courses:

- 1) North 28° 46' 17" East for a distance of 34.23 feet;
- 2) North 06° 00' 45" West for a distance of 244.89 feet:
- 3) on a curve to the right having an ARC LENGTH of 128.07 feet, a RADIUS of 1949.57 feet, a DELTA ANGLE of 03° 45' 50", and a CHORD BEARING of North 04° 19' 12" West for a CHORD DISTANCE of 128.06 feet to the TRUE POINT OF BEGINNING of the herein conveyed easement;

THENCE continuing through the Grantor's land the following four (4) courses:

- 1) South 87° 41' 08" West for a distance of 10.02 feet;
- 2) on a non-tangent curve to the right having an ARC LENGTH of 50.00 feet, a RADIUS of 1994.36 feet, a DELTA ANGLE of 01° 26' 11", and a CHORD BEARING of North 01° 35' 47" West for a CHORD DISTANCE of 50.00 feet;
- 3) North 89° 11' 26" East for a distance of 10.07 feet;
- 4) on a non-tangent curve to the left having an ARC LENGTH of 49.74 feet, a RADIUS of 1949.57 feet, a DELTA ANGLE of 01° 27' 42", and a CHORD BEARING of South 01° 32' 25" East for a CHORD DISTANCE of 49.74 feet BACK TO THE TRUE POINT OF BEGINNING.

The above described parcel contains 0.012 acres. North based on GPS observations taken on project control.

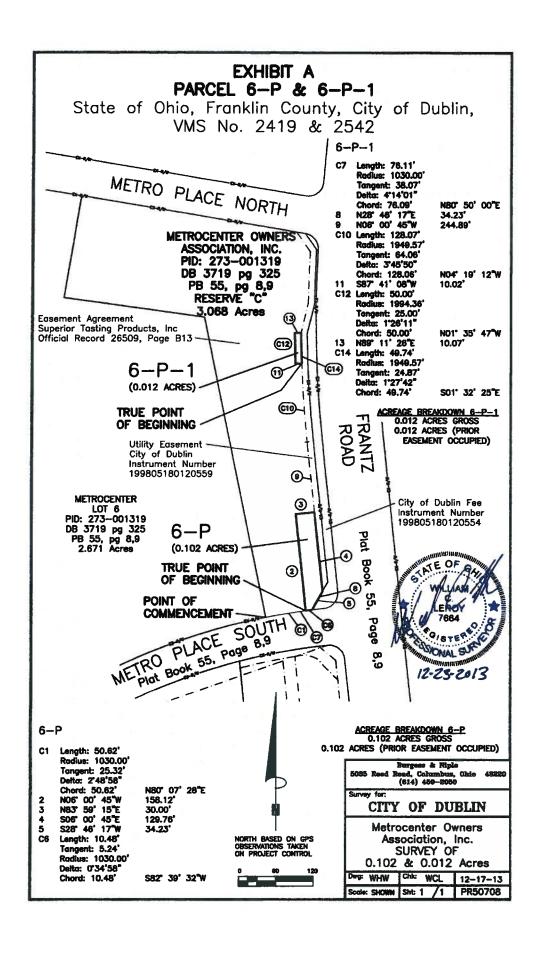
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Burgess & Niple, Inc.

William C. LeRoy,

Registered Professional Surveyor No. 7664

72-23-2013 Date



PARCEL 6-T TEMPORARY GRADING AND CONSTRUCTION EASEMENT FROM METROCENTER OWNER'S ASSOCIATION, INC.

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Virginia Military Survey No. 2419, and being part of the 3.068 acre tract deeded to METROCENTER OWNERS ASSOCIATION, INC. (hereafter referred to as Grantor), as described in Deed Book 3719, page 325, in the Franklin County Recorder's Office, and also being a part of Reserve C in METROCENTER, the plat of which is recorded in Plat Book 55, pages 8 and 9, and bounded and described as follows:

COMMENCING at the southwest corner of said Reserve C, THENCE with the South line of said Reserve C and the North Right of Way line of Metro Place South, as shown and dedicated in said METROCENTER plat, on a non-tangent curve to the right having an ARC LENGTH of 50.62 feet, a RADIUS of 1030.00 feet, a DELTA ANGLE of 02° 48 '58", and a CHORD BEARING of North 80° 07' 28" East for a CHORD DISTANCE of 50.62 feet to the TRUE POINT OF BEGINNING of the herein conveyed easement;

THENCE through the Grantor's land the following fifteen (15) courses:

- 1) North 06° 00' 45"West for a distance of 173.65 feet;
- 2) North 83° 59' 15" East for a distance of 30.00 feet;
- 3) North 06° 00' 45" West for a distance of 100.13 feet;
- 4) on a curve to the right having an ARC LENGTH of 114.04 feet, a RADIUS of 1,999.36 feet, a DELTA ANGLE of 03°16'05", and a CHORD BEARING of North 04° 22' 42" West for a CHORD DISTANCE of 114.03 feet;
- 5) South 87° 41' 08" West for a distance of 10.00 feet;
- 6) on a non-tangent curve to the right having an ARC LENGTH of 80.40 feet, a RADIUS of 2009.36 feet, a DELTA ANGLE of 02° 17' 33", and a CHORD BEARING of North 01° 35' 46" West for a CHORD DISTANCE of 80.39 feet;
- 7) North 89° 11' 26" East for a distance of 28.82 feet;
- 8) South 13° 22' 05" West for a distance of 15.47 feet;
- 9) South 89° 11' 26" West for a distance of 10.07 feet;
- 10) on a non-tangent curve to the left having an ARC LENGTH of 50.00 feet, a RADIUS of 1994.36 feet, a DELTA ANGLE of 01° 26' 11", and a CHORD BEARING of South 01° 35' 47" East for a CHORD DISTANCE of 50.00 feet;
- 11) North 87° 41' 08" East for a distance of 10.02 feet:
- 12) on a non-tangent curve to the left having an ARC LENGTH of 128.08 feet, a RADIUS of 1949.57 feet, a DELTA ANGLE of 03° 45' 50", and a CHORD BEARING of South 04° 09' 12" East for a CHORD DISTANCE of 128.05 feet;
- 13) South 06° 00' 45" East for a distance of 115.13 feet;
- 14) South 83° 59' 15" West for a distance of 30.00 feet;
- 15) South 06° 00' 45" East for a distance of 158.12 feet to the South line of said Reserve C and the North Right of Way line of Metro Place South;

THENCE with the South line of said Reserve C and the North Right of Way line of Metro Place South on a non-tangent curve to the left having an ARC LENGTH of 15.01 feet, a RADIUS of 1030.00 feet, a DELTA ANGLE of 00° 50' 06", and a CHORD BEARING of South 81° 57' 00" West for a CHORD DISTANCE of 15.01 feet BACK TO THE TRUE POINT OF BEGINNING;

The above described parcel contains 0.179 acres. North based on GPS observations taken on project control.

Parcel 6-T

This description was prepared in November 2013 under the direct supervision of William C. LeRoy, P.S., Ohio License Number 7664, and is based upon surveys performed by Burgess & Niple, Inc. beginning in October 2010.

Burgess & Niple, Inc.

William C. LeRoy,

Registered Professional Surveyor No. 7664

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